

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

GAGE E. SERVICES, LLC	CIV. 12-04115
Plaintiff,	
vs.	DEFENDANT'S RENEWED MOTION TO DISMISS
ANGELVISION TECHNOLOGIES, INC.,	
Defendant.	

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure and consistent with this Court's Order dated January 24, 2013, Defendant Angelvision Technologies, Inc. hereby moves the Court to dismiss with prejudice Plaintiff's Complaint for failure to state a claim upon which relief may be granted. Defendant so moves on the grounds and for reasons as follows:

1. By Order of this Court, Plaintiff had 30 days from entry of the Order dated and entered January 24, 2013 to file an amended complaint.
2. Plaintiff has failed to file an amended complaint.
3. Plaintiff's Complaint should be dismissed for failure to state a claim upon which relief may be granted.

Dated: February 27, 2013.

CADWELL SANFORD DEIBERT & GARRY LLP

By: /s/ Alex M. Hagen

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### **CERTIFICATE OF SERVICE**

I hereby certify that on this day I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will automatically send e-mail notification of such filing to the following counsel:

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Dated: February 27, 2013.

/s/ Alex M. Hagen

Alex M. Hagen

*Electronically Filed*